



# The Babcock & Wilcox Company

a McDermott company

20 South Van Buren Avenue

Barberton, Ohio 44203-0351 USA

(330) 753-4511

www.babcock.com

**VIA FAX 312-886-6064**

June 21, 2004

US EPA RECORDS CENTER REGION 5



446602

U.S. Environmental Protection Agency  
Marsha A. Adams  
Remedial Enforcement Support Section  
77 West Jackson Blvd. (SR-6J)  
Chicago, Illinois 60604-3590

REF: Bailey Meter Co.  
c/o Babcock & Wilcox  
The Chemical Recovery Systems Site, Elyria, Ohio ("Site")  
General Notice of Potential Liability and Request for Information

Dear Ms. Adams:

The Babcock & Wilcox Company ("B&W") is in receipt of your General Notice of Potential Liability and Request for Information dated June 3, 2004 received in B&W's offices on June 10, 2004. This is the first notice of any indication that B&W may have any potential liability with respect to this Site.

B&W sold its Bailey operations in November of 1989, so B&W has few records concerning Bailey in Barberton, Ohio. B&W is uncertain at this time whether or not B&W has any liability or if there is any liability, to what extent. To the extent B&W concludes it does have liability, B&W would be interested in negotiating a resolution to its potential responsibility in connection with the Site.

B&W presumes that some sort of volumetric ranking has taken place since the Potential Responsible Parties (PRP's) have signed an Administrative Order on Consent to Conduct a Remedial Investigation/Feasibility Study with U.S. EPA oversight. Please send to my attention any information you have with respect to such a ranking and where Bailey would fall in such a ranking. I would appreciate any information you have whatsoever that would link Bailey or The Babcock & Wilcox Company to the Site.

Very truly yours,

Donald E. Howdyshell  
Senior Counsel and Managing Attorney

DEH/cfh  
deh2009.doc

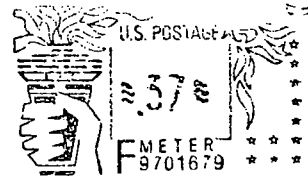


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P.O. Box 351  
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Donald E. Howdyshell  
Law Department



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